

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Henry BUSE

Appln. No. 10/595,063

Group Art Unit: 3728

Confirmation No.: 2042

Examiner: NOT YET KNOWN

Filed: January 26, 2006

For: FLIP-TOP PACKET FOR CIGARETTES

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached Form PTO/SB/08 A & B (modified) and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

A copy of the German '201 reference is submitted herewith. In accordance with 37 C.F.R. § 1.98(a)(2)(i), copies of U.S. '931, '068, '533 and '651 are not being submitted. US '769 and GB '149 cited on page 2 of the Office Action were previously cited in the Information Disclosure Statement filed January 26, 2006.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action

INFORMATION DISCLOSURE STATEMENT
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on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

In compliance with the concise explanation requirement under 37 CFR §1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a counterpart Russian Office Action citing such documents, together with an English-language version of that portion of the Office Action indicating the degree of relevance found by the Russian Patent Office.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Respectfully submitted,

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